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# Convention on the Elimination of All Forms of Discrimination against Women

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**Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women**

## List of issues and questions in relation to the seventh periodic report of Burkina Faso

**Addendum**

## Responses of Burkina Faso*

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* The present document is being issued without formal editing.

*Note*: The present document is distributed in English, French and Spanish only.

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## Legal framework and definition of discrimination

### Question 1

1. Burkina Faso is undertaking a constitutional reform process. The Constitutional Commission, established by Decree No. 2016-216/PRES of 14 April 2016 on the establishment, powers, organization and functioning of the Constitutional Commission, has taken steps to designate women to participate in the elaboration of the Constitution. Eleven of the Commission's 90 members are women. That participation led to the reaffirmation in the preamble of the country's commitment to the Convention, the inclusion of provisions on measures to combat violence against women and girls in the public and the private spheres, the promotion of gender as well as reproductive health. Information campaigns have also been organized to ensure that the concerns of women are taken into account in the new Constitution.

## Visibility of the Convention and the Optional Protocol

### Question 2

2. Burkina Faso has instituted a wide variety of training and awareness-raising programmes to familiarize women, government ministries, parliamentarians, the judiciary and non-governmental organizations with the Convention.

With regard to familiarization with the Convention and the Optional Protocol, the State has made several efforts following the Committee's conclusions:

- Training in 2015 of judicial actors on caring for victims of gender-based violence;
- Elaboration in 2016 of a collection of legal texts in favour of women and distribution of said texts in the courts, gendarmerie and police stations;
- Training in 2016 of non-governmental organizations (NGOs) and coordinators of women's organizations in the 13 regions of Burkina Faso on the Convention.
- Organization of a session on the appropriation of international legal instruments on human rights, including the Convention, for judicial actors (judges, registrars and lawyers), to encourage them to refer to the Convention in the performance of their duties.

3. With regard to the dissemination of the recommendations of the Committee, the recommendations were presented to government departments and NGOs in 2011 and 2012 during the annual session of the national commission for the monitoring and implementation of the commitments of Burkina Faso in favour of women.

## Access to justice

### Question 3

4. According to the updated data on the number of women who have had access to legal aid and legal representation in court proceedings for complaints of discrimination under the legal assistance fund, in 2016, a total of 61 people received aid, including 16 women. In 2017, as at June 12, 101 people had received aid, including 26 women. Violations or breaches concerned mainly cases of expropriation of property, theft and paternity searches.

5. The legal aid fund, established by Decree No. 2009-558/PRES/PM/MJ/MEF/MATD on the organization of legal aid in Burkina Faso and amended in 2016 by Decree No. 2016-158/PRES/PM/MJDHPC/MINEFID on the organization of legal aid in Burkina Faso consists of assistance provided by the State to enable destitute persons and categories of persons designated by the decree to exercise their rights within the legal system. The fund is expected to meet the needs of women victims of violence who meet the conditions established by the decree. It should be noted that although the decree does not contain an express provision for women victims of gender-based violence, it does mention specifically in its article 8 widows caring for orphans without any income of their own in succession procedures. It is also worth noting that from 2013 to 2015, the fund did not operate normally, as it was just being set up during that period. Unlike article 23 of the 2009 decree which provides that, in the case of a monetary award to a plaintiff receiving aid, all expenses borne by the State will be deducted from the award, the 2016 decree introduced innovations. In its article 30, the decree provides that all costs advanced by the State are deducted from the amount of the costs incurred, excluding expenses. In short, the deduction will no longer be made from the amount of the judgment awarded to the aid recipient, but from the amount of costs reported which may be imposed by the judge in favour of the aid recipient against the defendant. This represents the costs that the judge deems that the aid recipient had to incur during the trial, whereas those costs were normally covered by the State.

6. As for programmes to build the capacity of law enforcement officers, see paragraph 2 above.

7. The National Human Rights Commission is composed of eleven (11) members from various entities, including women's organizations. By law, the commissioners must make their selection based on equitable representation between men and women, each group being represented by at least one third (1/3) of the members on the final list (article 14). By law, parity must also be respected in the composition of the bureau, which comprises four (4) members, including a chair, a vice-chair, a rapporteur and a deputy rapporteur (article 26, paragraph 2).

8. The Commission has a very broad mandate with regard to the promotion, protection and defence of human rights. It advises and educates the public authorities on the situation of human rights, the handling of complaints from victims of human rights violations, and investigates allegations of human rights violations. It also informs, educates and trains the general public and social and professional groups about human rights.

9. That broad mandate gives the Commission the ability to fulfil its duties with regard to women's rights, including awareness-raising, handling of complaints, legal aid and victim orientation. The many difficulties faced by the institution made it impossible for it to undertake specific activities concerning women's rights.

10. The situation of women detained in Burkina Faso as at 31 December 2016 is as follows:

| *Situation of detained persons* | *2015* | *2016* |
|---|---|---|
| All convicts | 7 435 | 7 653 |
| Breakdown by sex | | |
| Men | 7 322 | 7 522 |
| Women | 113 | 131 |

| *Situation of detained persons* | *2015* | *2016* |
|---|---|---|
| *Situation of women detained by age group* | *2015* | *2016* |
| Less than 13 years | 0 | 0 |
| From 13 years to less than 15 years | 1 | 2 |
| From 15 years to less than 16 years | 0 | 2 |
| From 16 years to less than 18 years | 11 | 3 |
| From 18 years to less than 21 years | 8 | 11 |
| From 21 years to less than 25 years | 13 | 21 |
| From 25 years to less than 30 years | 22 | 29 |
| From 30 years to less than 40 years | 30 | 38 |
| From 40 years to less than 60 years | 22 | 22 |
| 60 years and over | 6 | 3 |

## National machinery for the advancement of women

### Question 4

11. The progress made by the Ministry for the Advancement of Women and Gender Equality, as well as the full implementation of the Convention across all sectors and levels in the State party can be summarized as follows: functionality of national entities for gender promotion in all ministries and institutions, annual budgetary allocation to gender entities for the implementation of their activities in line with the fields defined by the Convention, appropriation of the Convention by members of the national commission monitoring the implementation of the commitments of Burkina Faso in favour of women and the systematic consideration of gender in appointments to decision-making posts.

12. The Ministry of Women, National Solidarity and the Family has a total workforce of 2,106 agents, including 663 women and 1,443 men.

13. The budget of the of the Ministry of Women, National Solidarity and the Family (MFSNF) in 2016 was CFAF 12,309,587,000; the component concerning the advancement of women and gender was CFAF 2,271,234,000. In 2017, the budget is CFAF 20,519,755,000; the budget of the component concerning the advancement of women and gender is CFAF 3,694,333,000.

14. Burkina Faso has made the training of technical staff in charge of budgeting a priority. Capacity-building sessions on the establishment of gender-sensitive budgets were held in 2016 and are continuing in 2017 for all ministries and public institutions. The beneficiaries of the training are agents of administrative, financial, procurement and research and statistics departments.

15. Progress has been made in the implementation of the National Gender Policy (PNG) as follows:

- Appropriation of the National Gender Policy by national and local actors and strengthening of their institutional capacities to incorporate gender equality into policies;
- Mobilization of financial resources for the implementation of action plans;
- Enhanced awareness of gender issues among actors;
- Availability of gender action plans of ministries and institutions;
- Holding of sessions of the National Council for Gender Advancement;

- Adoption of a handbook for the monitoring and evaluation of the implementation of the National Gender Policy;
- Gradual incorporation of gender considerations into sectoral policies and local development action plans in the operationalization of the National Economic and Social Development Plan (PNDES 2016-2020);
- Involvement of technical and financial partners in gender promotion;
- Development of thematic handbooks on gender (gender-education, gender-health, gender-economy, gender-vocational training, gender-communication, gender-justice and human rights, gender-politics, gender-decentralization, gender-budgeting, gender-human resources).

16. The obstacles faced in the implementation of the National Gender Policy can be summarized as follows:

- Failure by the National Assembly to adopt the revised bill on gender;
- Inadequate consideration of matters related to gender inequality in the planning and budgeting systems of most sectoral ministries;
- Few financial and physical resources provided to ministerial and institutional units responsible for gender promotion;
- Inadequate generation of gender-disaggregated data.

17. The Permanent Secretariat of the National Council for Gender Promotion (SP/CONAP) is the national entity responsible for coordinating the implementation of the National Gender Policy. In 2016, it had a workforce of 32 agents, including 18 men and 14 women. In 2017, it has 33 agents, including 20 men and 13 women. It is supported at the national level by gender units comprising 10 members in the ministries and 5 members in institutions, and at the regional level by regional councils for gender promotion comprising regional staff. In terms of financial execution, CFAF 4,069,755,165 out of the projected CFAF 5,479,100,000 were mobilized at the national level for the implementation of the 2011-2013 operational action, representing a 74.28 per cent financial execution rate.

18. Following implementation of the 2011-2013 action plan of the National Gender Policy, another plan was adopted by the Cabinet on 31 May 2017, covering the period 2017-2019, with a total cost of CFAF 6,909,200,000.

## Temporary special measures

### Question 5

19. The numerical objectives and timelines of the initiatives referred to in paragraphs 37 to 43 of the report relate to a number of areas. In the economic arena, the establishment of the special "support to entrepreneurship" desk in 2014 made it possible to provide financial resources in the 13 regions of Burkina Faso, 357 women's associations and 411 individual female promoters, representing more than 25,000 women directly affected by the financing. The main sectors of activity affected by this financing are: processing (CFAF 1,538,400,000), food services (CFAF 626,100,000), agriculture (CFAF 400,000,000), animal husbandry (CFAF 350,000,000), tailoring (CFAF 170,000,000) and hairdressing (CFAF 160,000,000). Similarly, in 2016 a line of credit worth CFAF 200 million was used to finance 17 women's associations and groups operating in the agri-food processing sector. A loan guarantee of five hundred million (CFAF 500,000,000) was also established on 24 March 2014 with Burkina Faso Financing and Interbank Guarantee Company (SOFIGIB). However, given the sociopolitical crises that our country faced and the

lack of financial resources, the line was not operationalized. Efforts are being made to operationalize it in order to ensure that more women have access to credit.

20. With regard to employment and vocational training, a special job creation programme for young people and women (PSCE/JF) has been established. One of its objectives is to promote the economic empowerment of women through job creation, technology transfer and support for the promotion of women-led businesses. In 2014, 2,300 women's organizations received 16,890 technology items totalling CFAF 3,432,000,000, 500 women received training in weaving in 2016 and 250 women received working capital in 2016.

21. In the area of combating family and conjugal violence and gender-based stereotypes, one of the most significant initiatives is the implementation of a joint programme between the Government and the United Nations system to combat violence against women and girls (2014-2015). Progress was made, in this case, with the signing of a charter by the mayors of Burkina Faso to promote the abandonment of the practice of excision (2014), the establishment of focal points to combat violence against women in the gendarmerie and police stations of the country's 13 regions (2015), capacity-building for judicial police officers in respect of violence against women and girls and care for victims (2015), the establishment of community networks to combat violence against women and girls in the regions of Burkina Faso (2015) and the establishment of a centre to care for victims of gender-based violence.

22. With respect to women's access to land, the measures taken include the establishment in villages of rural land committees, in which women's social and political groups must be represented, the implementation of the Millennium Challenge Account-Burkina Faso (MCA-BF) project on security of land tenure, which focused on the delivery of land tenure documents for women. The decision by the Government in 2015 to grant at least 30 per cent of developed land to women has been fruitful. The results of that measure for 2016 are as follows: 45 per cent of beneficiaries of new land in developed lowlands were women, versus 55 per cent for men. In addition, 61 per cent of beneficiaries of perimeter land were men compared with 39 per cent women.

23. The above-mentioned initiatives are linked to the overall strategy encapsulated in the National Gender Policy, one of the strategic thrusts of which is the promotion of the institutionalization of gender through its integration into the planning, budgeting and policy implementation systems at all levels.

## Stereotypes and harmful practices

### Question 6

24. The initiatives referenced in paragraphs 45 to 50 of the report are linked to several strategies and programmes adopted by Burkina Faso. In terms of combating the practice of female genital mutilation, a national action plan (2009-2013) to promote the elimination of female genital mutilation and a joint UNFPA-UNICEF programme to accelerate the abandonment of female genital mutilation (2009-2013) have been implemented. With regard to protection of women's rights, a project entitled "Eliminating early marriage in Burkina Faso: a plan for protection and strengthening of community action 2008-2011" has been implemented.

25. These actions are continuing through the implementation of new strategies akin to the national strategy to promote the elimination of female genital mutilation scheduled for 2016-2020, adopted by the Cabinet on 5 January 2017. It comprises five measurable strategic areas: strengthening of measures to prevent the practice of

female genital mutilation; enhancement of access to medical and psychosocial care for victims of female genital mutilation; protection and promotion of the rights of women and girls in the context of female genital mutilation; improvement of the mechanism for the management and coordination of the national strategic plan to promote the elimination of female genital mutilation; and strengthening of the monitoring and evaluation mechanism. A national strategy for the prevention and elimination of child marriage was also adopted in November 2015.

26. Studies conducted on the impact of these programmes include the 2014 study to assess the implementation of the national action plan (2009-2013) to promote the elimination of female genital mutilation. The results of the field study show a fairly significant decline in prevalence for 0-49 year-old girls/women between 2010 and 2015. The rate of prevalence among 15-49 year-old girls/women fell from 77 per cent in 2003 to 75.8 per cent in 2010, according to EDS, and 67.6 per cent according to EMC. The assessment by the Société Africaine d'Études et de Conseils (SAEC) was 71 per cent while the figure for the 2015 impact study was 48.8 per cent, representing a drop of 24 per cent between 2006 and 2015. For all women, the assessment showed a rate of prevalence of 49.55 per cent in 2006 versus 31.4 per cent for the 2015 impact study, representing a drop of 18.5 points.

27. The perpetrators of female genital mutilation are punished in accordance with the Criminal Code (articles 380 to 382). Fewer and fewer suspended sentences are issued for the perpetrators and their accomplices.

28. The following table shows some sentences issued.

| *Period* | *Locality* | *Sentence* |
|---|---|---|
| 05-Jan-15 | Nouna/Kossi | Accomplices: 1 year suspended sentence |
| 07-Apr-15 | Niangoloko | A circumciser and one accomplice: 6 months firm; 3 accomplices: 6 months suspended sentence |
| 13-Apr-15 | Koti | 1 month firm (circumciser) 6 months suspended sentence one accomplice (mobile court hearing) |
| 10-June-15 | Laguemtinga/Zorgho | 1 year firm + CFAF 150,000 fine and 6 months firm + CFAF 150,000 (mobile court hearing) |
| 05 aout 2015 | Béré/Manga | Circumciser: 12 months firm and CFAF 150,000 fine. 3 accomplices: 6 months firm and CFAF 150,000 fine (mobile court hearing) |
| 28 August 2015 | Tougouri/Namentenga | Circumciser and 2 accomplices: 24 months suspended sentence |
| 13-Sept-15 | Léo/Sissili | 12 months suspended sentence |
| 24-Sept-15 | Diabo/Gourma | Complaint filed against the Saaba gendarmerie station |

| *Period* | *Locality* | *Sentence* |
|---|---|---|
| 05-Oct-15 | Boulmoutéon/Dissin/ Ioba | **Mobile court hearing**: 6 months firm for 2 accomplices (married) and CFAF 50,000 fine; 6 months suspended sentence for 6 accomplices; 1 acquittal for an accomplice |
| 05-Nov-15 | Koumba/Gurcy | 8 months for the circumciser and 2 months firm for the accomplices (mobile court hearing) |
| 04-Dec-15 | KoumbaGurcy | 12 months suspended sentence for the circumciser and 6 months suspended sentence for the accomplice |
| Dec. 2015 | Houndé/Tuy | 1 woman fined CFAF 50,000 |
| Dec-15 | Boni/Houndé/tuy | 1 months suspended sentence and a CFAF 50,000 fine |
| 17-Dec-15 | Baporo/Sanguié | 5 women fined CFAF 50,000; 5 men fined CFAF 50,000 and sentenced to 1 month imprisonment |
| 29-Dec-15 | Koundba/Gourcy | 8 months for the circumciser and 2 months firm for the accomplices (mobile court hearings) |
| 29-Dec-15 | Koungo | 12 months suspended sentence for the perpetrator and 6 months for the accomplices suspended sentence |
| Jan-16 | Houndé/Tuy | Circumciser: 8 months firm and CFAF 150,000 fine; 3 accomplices 6 months firm and CFAF 150,000 fine; 2 men 2 months firm and CFAF 150,000 |
| 01-March-16 | Yako/Passoré | Circumciser: 6 months firm and accomplice: 6 months firm |
| August-16 | Kabèga (Koupéla) | Accomplice sentenced to 6 months firm |
| 05-sept-16 | Zoré-pouytenga | Circumciser 72 years 8 months firms, 1 man accomplice 8 months firm, 5 mothers accomplices 6 months firm |
| 26 October 16 | Komtouinga (Koupéla) | 2 accomplices sentenced to 8 months firm; 2 to 6 months firm 1 to 2 months firm |
| 04-Jan-17 | Samorogan (Orodara) | Circumciser: 6 months suspended sentence CFAF 250,000 fine firm, 15 accomplices: 6 months suspended sentence CFAF 250,000 fine firm |

| *Period* | *Locality* | *Sentence* |
|---|---|---|
| 26-Jan-17 | Bagré/Tenkodogo | Of the 16 people freed by the people, only 3 women gave themselves up and were judged on 4 May 2017; sentence rendered on 11 May 2017 2 accomplices (women) sentenced to 8 months suspended sentence and one accomplice (mother of an excised girl: 6 months firm) |
| 01-Feb-17 | Tiéssourou/To/Léo | Circumciser 1 year and CFAF 500,000 suspended sentence |

## Gender-based violence against women

### Question 7

29. Act No. 061 of 6 September 2015 is in the process of being implemented, but in 2016, the centre that cares for victims of gender-based violence received 110 victims of various nationalities. The victims received health, legal, psychological and material assistance. Specifically, ten female victims received legal assistance, including for three complaints of trafficking and sexual exploitation, five complaints of assault and battery and two complaints of rape. The proceedings are still ongoing.

30. Burkina Faso has set up mechanisms such as multidisciplinary committees (ministries, partners, civil society) that have crafted strategies for combating violence against women. A case in point is the integrated programme for women's empowerment, which has, among other things, led to a reduction in violence against women and girls, and the national strategy for the promotion and protection of young girls for 2017-2026, which includes an action plan for 2017-2019. One of its strategic areas is the reinforcement of social, legal and judicial protection for young girls. Consultations have also been held on giving effect to the mechanisms called for in the above-mentioned legislation, along with activities to raise public awareness of Act No. 061-2015/CNT.

31. Discussions are ongoing on a review of paragraph 2 of article 14.

32. Human rights violations had been committed following the coup of 16 and 17 September 2015. In response, the Transitional Government had established a commission of inquiry by Decree No. 2015-1053/PRES-TRANS/PM of 28 September 2015 on the establishment of a commission of inquiry into the events of 16 September 2015, amended by Decree No. 2015-1147/PRES-TRANS/PM of 12 October 2015. Its mission was to take stock of the offences committed as well as the number of victims. As set out in the report of the commission in November 2015, the cases of human rights violations concerned the right to freedom of movement, the right to life, the right to physical integrity and the right to property. With regard to violations of the right to life, there had been 11 deaths, the victims ranging from 14 to 41 years of age, including a 25-year-old woman. As for violations of the right to physical integrity, about 104 cases were identified. It should be noted that some of the victims did not report their cases to the commission, making it difficult to capture the situation in its entirety. The legal proceedings are ongoing.

33. With regard to reparations, following the insurrection of 2014 and the coup of 2015, three widows with diplomas were integrated into the public service, 18 widows each received CFAF 1,000,000 for their economic unit, 7 widows received

social housing and 19 orphans received schooling assistance until they reached the age of majority.

34. The draft bill on the Criminal Code crafted in 2012 took into account the provisions concerning the above-mentioned crimes. The revision work had been suspended for some time. However, the work resumed in 2014 and continued until 2017, while maintaining the gains achieved with the 2012 draft bill. At present, the draft bill is pending submission to the Cabinet. It should also be recalled that Act No. 061-2015/CNT of 6 September 2015 on the prevention and suppression of violence against women and girls is a special law that provides adequate punishment for these offences. The provisions will also be taken into account in the draft bill designed to harmonize the offences and the punishments. Furthermore, Act No. 24-2016/AN of 17 October 2016 on the protection and promotion of the rights of the elderly, through its articles 43 and 45, provides for the punishment of any person guilty of abandoning and/or socially excluding an elderly person, and any person guilty of socially excluding an elderly person based on allegations of witchcraft.

## Trafficking and exploitation of prostitution

### Question 8

35. The coordination mechanism established to reinforce the implementation of Act No. 029-2008/AN on combating trafficking in persons and related practices is the National Committee for Monitoring and Surveillance (CNVS) by decree No. 2009-529/PRES/PM/MATD/SECU. This committee has branches in the regions (CRVS), provinces (CPVS) and departments (CDVS).

36. A plan of action has not yet been developed. However, actions to combat trafficking in children and activities for prevention, interception and reintegration of child trafficking victims have been organized. Furthermore, other initiatives that contribute to the eradication of this practice have been developed, including a census of street children, the target group among the most vulnerable to trafficking.

37. The final results of the study on trafficking in persons are not yet available.

38. A national report on child trafficking is issued every year. The 2015 report recorded 1099 presumed victims of trafficking, of which 536 were girls. All these children received services and 42 suspected traffickers were punished under Act No. 029-2008/AN of 15 May 2008 on combating trafficking in persons and related practices, which states that "the following constitutes the offense of trafficking in persons: recruitment, transport, transfer, housing or receiving a minor for purposes of exploitation." Of the 42 suspects, 25 were detained and released, 7 were brought to court and acquitted and 10 were convicted and sentenced before the courts. The victims were provided with psychosocial services and support for income-generating activities. School-aged children were given support for their enrolment in school.

39. Although there is a lack of social services for women, in 2016, three young women victims of trafficking and exploitation of prostitution were housed for some months in the centre for victims of gender violence and were given assistance.

## Participation in political and public life and decision-making

### Question 9

40. Measures are under way towards the adoption of a revised draft of the 2009 Act on gender quotas. In 2016, coordination meetings were held to share the changes made to the 2009 draft of the law and to define a road map for its adoption.

The draft bill was submitted to the Technical Committee for Verification of Draft Bills (COTEVAL) on 13 January 2017 and it will then be introduced in the Government General Secretariat and the Cabinet to be put on its programme. After taking into account any amendments in the Cabinet, it will be immediately introduced before the National Assembly. This draft bill provides for alternating lists, 50 per cent parity of men and women and the rejection of any list that does not observe that quota. The Electoral Code is being reread and discussions have begun on harmonizing its provisions with the Act on quotas.

41. In order to promote women's participation at the international level and at all levels of public and political life, the following measures have been taken: the 2015 adoption and implementation of an integrated programme for women's empowerment with a goal of ensuring effective participation of women in decision-making; the establishment in 2017 of a data base on women leaders in all fields with the ultimate aim of being able to target groups of women and conduct coordinated activities; the holding in 2016 of leadership training for women, management and conducting of election campaigns and the second reading and adoption of the national plan of action for the implementation of United Nations Security Council resolutions 1325 and 1820.

## Education

### Question 10

42. The goal of the national strategy for the acceleration of girls' education (SNAEF) 2012-2021, adopted in June 2012, is to work towards the objective of universal primary education by 2021 by reducing gender disparity. Monitoring and evaluation of SNAEF forms part of the annual follow-up to the Basic Education Programme Strategy. The most recent report in May 2017 showed convincing results. Aside from this internal mechanism, the external evaluation of the triennial rolling action plan (2014-2016) has produced the following results.

43. At the primary school level, for the period 2013-2016, the change in indicators of access and retention of girls was more rapid than that for boys compared to the 2009-2012 period (the three years before implementation of SNAEF). The deficits reported for girls have gone down steadily and have reversed during the first phase of the implementation of SNAEF. The gross enrolment rate has gone from 78.1 per cent for girls and 81.1 percent for boys in 2012, or 3 percentage points lower for girls (before the implementation of SNAEF), to 86.4 per cent for girls and 85.9 percent for boys in 2016, or 0.5 percentage points higher for girls (end of first phase of SNAEF). The primary school completion rate went from 53.7 per cent for girls and 56.6 per cent for boys, or 2.9 percentage points lower for girls in 2012, to 61.0 per cent for girls and 55.1 per cent for boys, or 5.9 percentage points higher for girls. In 2017, the success rate in the primary education certificate for girls is higher than the rate for boys (65.7 per cent compared to 58.8 per cent), for a 6.9 point gap. The rate of transition from primary to post-primary education increased by 0.03 per cent between 2013 and 2016, although the annual targets were not met.

44. At the primary level, parity between girls and boys was achieved during this period. The results obtained exceeded the annual targets; that confirms the effectiveness of the current policy on retention of girls in primary school, which should be pursued at all levels of the educational system.

45. In post-primary education, by gender, a continuing change in enrolment rates for boys and girls has been observed, rising from 38.1 per cent to 41.9 per cent for boys and 31.7 per cent to 38.4 per cent for girls between 2011/2012 and 2013/2014. The disparity between gross enrolment rates for girls and boys has steadily dropped

during the period under consideration, falling from 6.4 points in 2011/2012 to 3.5 points in 2013/2014, and is gradually being reduced.

46. As for the elimination of costs relating to basic education, under article 6 of Act No. 013-2007/AN of 30 July 2007 concerning orientation of education, basic education covering the school population between ages 6 and 16 is free. At the primary level, free tuition is in effect in public schools and change is steadily occurring at the post-primary level. This provision does, however, state that "the participation of local communities formed voluntarily and acting in partnership with the State and territorial entities is permitted". It adds that "no student may be harassed, temporarily or definitively excluded or have his academic results withheld as a result of the failure to make any type of contribution". Furthermore, the partnership is governed by a protocol of understanding that sets its modalities. Dues from parents of students have not been eliminated to the extent that they represent a voluntary and sovereign initiative of the parents, who manage the funds independently and in accordance with the laws in force.

47. The National Council for the Prevention of School Violence is governed by Decree No. 2014-328/PRES/PM/MESS/MENA/MATS of 2 May 2014. Each year it holds a citizenship education week in the schools with the aim of promoting within the school system a culture of peace, non-violence and social cohesion as factors in educational performance and promotion of civic engagement. A study on ways to involve teachers in combating violence against girls in schools is planned for 2017.

48. Human rights and gender equality are among the emerging topics that have been introduced in the education system for over a decade. Instruction on these subjects is covered under existing disciplines, known as the social disciplines, which include relevant content (civic and moral education, natural sciences, life sciences or earth science, reading or French language). Naturally there are educational materials (curriculums, manuals, pedagogical guides...) in support of these subjects. During the development of those materials, measures are taken to avoid gender, ethnic, cultural or religious stereotypes in the text and illustrations at all educational levels.

## Employment

### Question 11

49. Burkina Faso has laws containing provisions that promote work and vocational training and prohibit all forms of discrimination. The Constitution of 11 June 1991, in its article 19, recognizes the equal right to work for all. Employment and salary discrimination on the basis of sex, colour, social origin, ethnicity or political opinion are prohibited. Along the same lines, article 20 specifies that the State ensures the continuing improvement of working conditions and protections for workers. Furthermore, the Personal and Family Code and Act No. 28-2008/AN of 13 May 2008 concerning the Labour Code, in its articles 4, 38, 142 and following and 182, regulate relations between working women and employers.

50. Article 4 stipulates that any form of employment discrimination is prohibited. Discrimination is understood as any distinction, exclusion or preference based on race, colour, sex, religion, political opinion, handicap, pregnancy, or national or social origin, which effectively prevents or hinders equality of opportunity or treatment with regard to employment or profession; and any other distinction, exclusion or preference having the effect of preventing or hindering equality of opportunity or treatment with regard to employment or profession.

51. Article 38 states that the employer must prohibit any discrimination whatsoever with regard to access to employment, working conditions, vocational training, retention or dismissal from employment, with particular regard to actual or apparent HIV infection status.

52. Articles 142 to 148 concerning women's work lay out measures of protection for women in the workplace, maternity leave and dismissal of women on maternity leave.

53. Article 182 concerns equal pay. Victims of gender discrimination and sexual harassment in the workplace in most cases have difficulty in providing evidence allowing them to begin legal action.

54. The Personal and Family Code states in article 295 that each spouse has the right to work without the consent of the other.

55. Activities to promote vocational training and job creation are essentially based on operational structures for job creation and making youth and women more employable. The Ministry responsible for vocational training is aware of the concerns related to women's access to employment and is taking targeted steps to guarantee not just equality but equity in access to employment. Moreover, skills training programmes reserve a quota of 30 per cent of places for women. In addition, order No. 2014/0020/MJPE of 21 May 2014 concerning the terms of reference for private and informal vocational training centres in Burkina Faso, in its article 7, stipulates that "the organization and administrative and pedagogical management of private vocational training centres must integrate national values and culture and promote gender".

56. No labour inspections have reported any complaints of sexual harassment or salary discrimination during the period 2014 to 2017.

57. A time frame for ratification of ILO Convention No. 189 on domestic workers has not yet been defined by the civil service. Ratification of Convention No. 189 is high on the list of concerns of labour unions. Its consideration will be scheduled by mutual agreement between the Government and the labour unions at their next round of negotiations.

## Health

### Question 12

58. Articles 383 to 390 of the Criminal Code of Burkina Faso define abortion as a crime. Although currently those provisions have not been repealed, the characterization of abortion has evolved. From the legal point of view, abortion, which had been considered a crime, is now an offense. Furthermore, under the act on reproductive health adopted in 2005, the advice of only one doctor is required to authorize voluntary termination of a pregnancy in cases of where the life of the mother is endangered or of serious deformity of the foetus, while the Criminal Code required the advice of two physicians. The practice of abortion is illegal except in certain cases. Act No. 043/96/ADP of 13 November 1996 concerning the revision of the Criminal Code authorizes therapeutic abortion in cases of rape, incest and congenital deformity.

59. Discussions are under way on eliminating procedural obstacles and streamlining the often lengthy procedure for obtaining authorization to perform an abortion in cases of rape or incest resulting in pregnancy. The 10-week delay before seeking authorization for an abortion can go by without a response from the public prosecutor. However, many hold the view that those who take the report of the crime, such as the gendarmerie or the police, should be allowed to authorize an abortion without a court order.

60. With regard to progress made in developing guidelines for health care providers, the Ministry of Health has outlined several different components. Immediate treatment consists in an initial evaluation for emergency conditions, diagnosis, stabilization (through intravenous antibiotics) uterine evacuation by AMIU, referral or transfer for specific treatment (for example, major surgery). Next, counselling is provided in order to gain the client's trust, calm her anguish and fear and give reassurance. Counselling and pain management must be provided during the procedure. Family planning after the abortion must begin immediately, as ovulation can occur as early as the eleventh day post-abortion and before the next menstrual period. Links with other reproductive health services provide the client with referrals to other prevention and care providers in order to improve reproductive health. Lastly, community involvement with a view to facilitating acceptance of post-abortion care in the community requires clear information, involvement of community leaders and good partnership between the community and service providers.

61. Regarding the dissemination of information on access to abortion services, actions are being taken to improve access to good health care in Burkina Faso. These measures apply in all 13 regions and the entire health care pyramid is involved.

62. Burkina Faso has very high maternal and infant mortality rates (330 maternal deaths per 100,000 live births and 23 infant deaths per 1000 live births in 2015). Activities to strengthen access to sexual and reproductive health services include positioning family planning as a priority in the National Health Care Development Plan 2011-2020, improving access to family planning services by providing free services, subsidizing contraceptives, distributing contraceptives in the communities with the support of NGOs and associations (contractual) and community leaders and weekly surveillance of health products including contraceptives. The Government has also taken measures to strengthen men's involvement in family planning through implementation of the "individual, family, community" approach,[1] the "school for husbands" strategy and the "pousid-songo" strategy. In order to improve access to family planning for people living in rural areas, tasks have been delegated by authorizing registered and practical nurses, trained midwives, lay midwives and mobile health care officers to offer long duration methods (implants and IUDs) and community health care workers to offer birth control pills and administer injections.

63. In the area of mental health, a national mental health programme, adopted in 2002, covered women under what it called vulnerable groups. It specified three aspects of women's mental health: the situation of women victims of violence who suffer ongoing stress and a chronic lack of self-confidence, the situation of mentally unstable women who give birth, and early diagnosis, prevention and care for mental illness among pregnant women.

[1] The approach of working with individuals, families and communities to improve maternal and infant health in Burkina Faso was launched in 2000 by the World Health Organization (WHO). It is based on the premise that improving maternal and infant health is only possible if women, men, families and communities are actively involved and their capacity in health care is strengthened. This approach thus aims to strengthen the means of action of individuals, families and communities to improve maternal and infant health. The required actions are organized in four areas for action: skill development, increased knowledge, strengthened social ties and improved quality of service and care. It should be noted that in this approach, promoting the role of men and other influential people is given priority.
The "school for husbands" strategy aims to increase the involvement of men in managing reproductive health, including modern contraception in villages and health districts. The "school for husbands" concept is based on the establishment of spaces for exchanges and learning among men demonstrating good reproductive health and gender practices.
The "pugsid-songo" strategy promotes support to women by their spouses in receiving maternal, neonatal and child health care, strengthen men's support for their wives in the area of effective care for pregnant women, mothers and newborns in the home in order increase utilization of maternal and infant health services.

64. Data collected on the number of cases reported and treated by the mental health services are not disaggregated. Nevertheless, the table below provides information on routine data collected by health centres in 2016.

| *Code* | *Type of mental illness* | |
|---|---|---|
| F20.9 | Schizophrenic psychosis | 2 074 |
| F28 | Other non-organic psychoses | 109 |
| F84.0 | Specific child psychoses | 7 |
| F09 | Organic psychotic state | 120 |
| F79 | Mental retardation | 12 |
| F19 | Mental disorders related to drug use | 17 |
| F29 | Psychotic disorders | 468 |
| F03 | Dementia | 47 |
| F22.9 | Paranoid delirium | 28 |
| F31 | Bipolar mood disorder | 63 |
| F40.9 | Neurotic phobia | 26 |
| F41.0 | Anxiety neuroses | 269 |
| F42 | Obsessive neuroses | 69 |
| F44 | Hysteria | 2 192 |
| F53 | Postpartum psychoses | 134 |
| F060 | Chronic hallucinatory psychoses | 394 |
| F239 | Transitory psychotic state | 505 |
| F329 | Depression | 669 |
| Z91.8 | Attempted suicide | 147 |
| F10 | Other mental disorders | 608 |
| **Total** | | **7 958*** |

65. According to decrees No. 2012-828/PRES//PM/MASSN/MEF/MS/MENA/MESS concerning the adoption of measures in the area of health and education for disabled persons, any person with a disability who so desires has the right to a disability card. This card offers comprehensive and free care for indigent persons or a cost reduction of 25 to 50 per cent according to income level.

## Social and economic benefits

### Question 13

66. National development programmes take into account the issue of gender equality. The National Economic and Social Development Plan, which is the national reference point for development matters, views women as dynamic actors in development. From this point of view, since its adoption in 2016 a number of actions have been taken, including training for directors of policy formulation in all ministries on how to integrate gender in the development of sectoral policies, reports on capitalizing on good practices in the area of gender mainstreaming and an analytical matrix of gender policy elaborated in 2016.

67. Women's entrepreneurship in our country is currently in its infancy. In 2015, out of 8,561[2] formally registered enterprises, women owned only 1,830, or 21 per cent, compared to 79 per cent owned by men. The National Plan intends to increase the rate of women entrepreneurs to 50 per cent by 2020. A national strategy to promote women's entrepreneurship was thus adopted in June 2015 with the aim of producing "dynamic, competitive and diverse women entrepreneurs who will contribute to poverty reduction by 2025". With regard to women's access to financing, in 2014 the Government decided to establish a special "support to women entrepreneurs" desk and a line of credit amounting to 500 million CFAF at the Financing and Interbank Guarantee Company of Burkina Faso (SOFIGIB) (see paragraph 19).

## Rural women

### Question 14

68. The National Programme for the Rural Sector (PNSR) was the framework for implementation of the Accelerated Growth and Sustainable Development Strategy in the rural sector for the period 2011-2015. Attention was paid to vulnerable groups and improving the economic and social status of women and youth in rural areas during its implementation. The National Policy for Sustainable Development of Irrigated Agriculture (PNDDAI) constitutes a synthesis of various studies and reports developed in recent years. Under its Component II, the strategy will help to combat poverty by increasing employment and income for all population sectors. These programmes were developed with the participation and collaboration of the rural confederation of Burkina Faso and regional agriculture organizations.

69. The various measures to raise awareness of and enforce women's right to 30 per cent of land earmarked for development include:

- Dissemination of Act No. 034-2009/AN of 16 June 2009 concerning the rural land scheme. This Act enshrines the principle of equality between men and women in land access in rural areas and allows the State and territories to organize special land distribution programmes either individually or collectively for rural land earmarked for development to benefit disadvantaged groups of producers such as small farmers, women, youth and ranchers;
- Training for women on laws and measures regarding rural land;
- Elaboration of land title and terms of reference guaranteeing the presence of women in the various organizations for the management of irrigated land;
- Involvement of women in the land distribution commissions.

70. The mechanisms available to women victims of discrimination in matters concerning land are the same as for any citizen. They are subject to the laws and regulations in effect under positive law. However, certain communities have local dispute settlement mechanisms.

## Older women and widows

### Question 15

71. Act No. 24-2016/AN of 17 October 2016 concerning promotion and protection of the rights of older persons was adopted.

[2] According to the Centre for Registration of Enterprises (CEFORE).

72. This act protects the rights of all persons over age 60 of any gender. It covers the areas of health, national solidarity, social security, sports, leisure, arts, culture, communications, transport, participation in public life, employment, vocational training and housing. Anyone who holds a seniors' identity card benefits from a reduction in professional fees in the areas listed above.

73. Measures taken to protect women against accusations of witchcraft have had various effects on their situation. First of all, the implementation of the national plan of action 2012-2016 to combat the social exclusion of persons accused of witchcraft mobilized a whole range of actors around the issue. Strategies to encourage men and communities to abandon social exclusion have been promoted with the cooperation of all actors. Public statements by well-known personalities like His Majesty Mogho Naaba Baongho, the supreme chief of the Mossis,[3] calling for the abandonment and eradication of this practice, testify to this. Religious and customary leaders have made a major contribution towards changing attitudes and behaviours among the people, as already noted. With the implementation of a road map for the removal and reintegration of women excluded because of accusations of witchcraft, most victims have received health and psychosocial care. It has facilitated the de-escalation and resolution of some conflicts between those women and their families or communities. This road map has led to the removal and reintegration of some 30 women accused of witchcraft. Lastly, Act No.061-2015/CNT concerning prevention, elimination and reparations for violence against women and girls and services for victims, adopted on 6 September 2015, protects women from accusations of witchcraft. Henceforward, they have the ability to bring a complaint against any accuser and appear in court.

74. For information on programmes to change traditional attitudes towards older women and widows, see paragraph 63.

## Equality in marriage and family relations

### Question 16

75. The review process of the Personal and Family Code is still under way. It should be noted, however, that some issues, for instance polygamy, given the current state of affairs in our country, remain difficult to approach because they involve areas of practice and are therefore highly sensitive. That issue has not yet received the assent of all socio-cultural categories. For that matter, under the law, polygamy is just one among the options in civil marriage.

76. The Personal and Family Code under review and awaiting adoption has amended the minimum legal age for marriage to 18 years for both women and men.

77. With regard to support to victims of child and early marriage, the various actors involved in that issue are working unceasingly. In the coming months they will take stock of the activities in that area at the second session of the multisectoral platform to combat child marriage.

[3] The largest ethnic group in Burkina Faso where the problem of social exclusion because of accusations of witchcraft has been found.